

**S-1-2010**  
**Muley Pointe Subdivision**  
**3860 South 3600 West**  
**R-1-8 Zone**  
**2 Lots**

**BACKGROUND**

Mr. John Erickson, is requesting preliminary and final subdivision approval for a 2-lot flag lot subdivision in the R-1-8 zone. The subject property is located at 3890 South 3600 West. The property is currently occupied by two single family dwellings. Mr. Erickson would like to subdivide the property in order to separate the two dwellings. The ultimate objective is to remove the basement dwelling and allow the flag lot to develop with a new single family dwelling. However, until the economic situation improves, the applicant would like the option to continue renting the basement dwelling.

**STAFF/AGENCY COMMENTS:**

Fire Department:

- X Fire hydrant does not need to be installed.
- X 20-foot clear width needs to be provided for the flag lot from street right-of-way.

Granger Hunter Improvement District:

- X Project will need to run availability for water, sewer and fire protection.
- X Subject to design and review inspections.

Utility Agencies:

- X Subject to all standard easement locations.

Public Works:

- X Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- X Revisions to plat are required.
- § Will need to coordinate review of new drive approach along 3600 West.
- § Will need to relocate existing street light and may need to relocate existing power pole
- § Soils report will not be required. The developer may use the soils report from the Woodbury Cove Subdivision to the north.

Building Inspections:

- § Follow recommendations outlined in the soils report for the Woodbury Cove Subdivision.

**ISSUES:**

- X Mr. Erickson is proposing a preliminary and final subdivision plat consisting of 2 lots. The property is approximately .67 acres in size which is adequate to be divided. At the present time, there are two existing single family dwellings located on the property. According to Salt Lake County records, the main dwelling was constructed in 1912. It is not known when the basement dwelling was added to the site. The County information does list a date of 1978 as an “effective” date built, which could be when the basement dwelling was constructed.
- § Access to the subdivision will be gained from 3600 West. As existing improvements are currently in place, the applicant will not need to open up 3600 West for water and sewer. However, a new curb cut and drive approach will be required for the flag lot.  
  
During the study session, staff explained the challenges of locating the access drive along the north property line. An existing street light and utility pole are located in the area that would need to be used for the drive approach. After discussing this matter with the City Engineering Division, it has been determined that the approach or apron, could extend north in the right-of-way thus allowing the drive access to remain as originally proposed. The applicant will need to relocate the existing street light, but the existing utility pole will be allowed to remain.
- § The applicant has coordinated hydrant and turnaround requirements with the Fire Department. An existing fire hydrant is located within the parameters needed for fire service, and the depth of the flag lot will not require a turnaround.
- § As mentioned previously, the flag lot is intended to be used as a new building lot. After reviewing the proximity of this lot with the relatively new development to the north, the City Engineering Division will not require a new soils report. The soils report of the Woodbury Cove Subdivision indicates that ground water was not encountered to a depth of 10 feet. This will allow a basement to be constructed on the flag lot.

**STAFF ALTERNATIVES:**

- A. Approval of the Muley Pointe Subdivision subject to the following conditions:
  - 1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
  - 2. That the subdivision name be approved by Salt Lake County.
  - 3. That the developer use the soils report from the Woodbury Cove Subdivision to the north.

4. That the developer resolve all staff and agency concerns.  
West Valley City Planning Commission  
March 10, 2010  
Page 4

5. That the new drive approach be reviewed and approved by the City Engineering Division.

B. Continuation to address issues raised during the Planning Commission meeting.

**Applicant:**

John Erickson  
3860 S 3600 W

**Discussion:** Steve Lehman presented the application. Jack Matheson questioned whether a new dwelling will have to meet current development standards. Steve replied yes. Phil Conder asked Steve to clarify approval item number one. Steve explained that the subdivision to the north is also a flag lot subdivision. When Liberty Homes built this subdivision they did a soils report that indicated no ground water to a depth of 10 feet. The Engineering and Building Inspection Departments will allow this report to be used for this subdivision as well. Steve added that the depth and location of the sewer line will dictate the basement depth for this property.

Commissioner Matheson asked if Granger Hunter will allow the property owner to use the sewer water easement and questioned where this easement is located. John Erickson, the applicant, replied that the easement is contained within the flag lot and has been approved by Granger Hunter. Barbara Thomas asked if the irregular jog in the property lines will be modified once a new home is constructed and the basement dwelling is demolished. Mr. Erickson replied that it depends on who purchases the lot. Jack Matheson questioned whether a new home could be constructed on the lot while someone was still living in the basement dwelling. Steve replied that the new home would not be issued a certificate of occupancy until the basement dwelling was removed. Terri Mills questioned why Commissioner Thomas had concern with the property lines. Commissioner Thomas replied that she does not want two homes to be illegally built on the same lot. She added that she is not a fan of flag lots and is concerned that this property will neighbor 7 different backyards. Steve Lehman stated that there is sufficient room for a detached garage on lot one if the property owner chooses to do this in the future.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved for approval subject to the 5 items listed by staff and add adding item number 6 that states: if the City issues a building permit for a new dwelling on lot 2 while the basement home continues to be lived in, a certificate of occupancy will not be granted for the new home until the basement dwelling is removed.

Commissioner Thomas seconded the motion.

**Roll call vote:**

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Woodruff	Yes

**Unanimous – S-1-2010 – Approved**